



1453

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	<b>Docket Number BCS03656</b>
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First Named Inventor: Jeffrey A. Masucci      Art Unit: 2666  
Application Number: 09/490,189      Examiner: Abelson, Ronald B.  
Filed: 1/24/2000  
Title: METHOD AND APPARATUS FOR REDUNDANT TRANSMISSION OVER  
TDMA OPTICAL NETWORKS

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 308-6916

Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- ☐ Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity – fee \$ \$1500.00 This form is submitted in duplicate.

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_  
Petition to Revive Under 37 CFR 1.137(b)

- ☐ has been filed previously on \_\_\_\_\_
- ☐ is enclosed herewith      Deposit Account 502117

B. The issue fee of \$ 1400

- ☐ has been paid previously on \_\_\_\_\_
- ☒ Deposit Account 502117

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

3. Terminal Disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]

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6-1-05  
Date

[Signature]  
Signature

215-323-1907  
Telephone Number

Robert P. Marley  
Typed or printed name

101 Tournament Drive  
Address

Horsham, PA 19044  
Address

Enclosures: ☒ Fee Payment – Part B Issue Fee Transmittal

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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June 1, 2005  
Date

[Signature]  
Signature

Carol J. Smith  
Typed or printed name of person signing certificate



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/490,189
Filing Date	01/24/2000
First Named Inventor	Jeffrey A. Masucci
Group Art Unit	2666
Examiner Name	Abelson, Ronald B.
Total Number of Pages in this Submission	Attorney Docket Number BCS03656

## ENCLOSURES

(check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group {Appeal Notice, Brief, Reply Brief} <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) PART B ISSUE FEE TRANSMITTAL PETITION FOR REVIVAL OF AN APPLICATION UNDER 37 CFR 1.136(b)
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Robert P. Marley	Registration No.	32,914
Signature			
Date	June 1, 2005		

## CERTIFICATE OF TRANSMITTAL/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO to Facsimile Number (703) 308-6916 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:

Typed or printed name	Carol J. Smith		
Signature		Date	June 1, 2005



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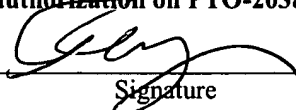
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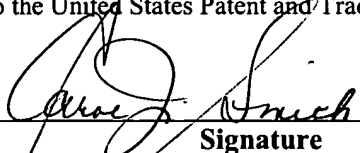
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Filing Date 01/24/2000

First Named Inventor Jeffrey A. Masucci

Group Art Unit 2666

Examiner Name Abelson, Ronald B.

Attorney Docket Number BCS03656

**ENCLOSURES**

**(check all that apply)**

☒ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/Declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Documents

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing Parts  
Under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-Related papers

☒ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation,  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of  
CDs

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board  
of Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter with appropriate copies

☒ Other Enclosure(s) (please identify below)

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Firm or  
Individual

Robert P. Marley

Registration No.

32,914

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Typed or printed  
name

Carol J. Smith

Signature

Carol J. Smith

Date

June 1, 2005